

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LENEE LEE, SANTIAGO GARCIA,
SAMANTHA GARDEN, and YASMILKI
ROSARIO, *on behalf of all others similarly
situated*,
:

Plaintiffs,
:

-against-
:

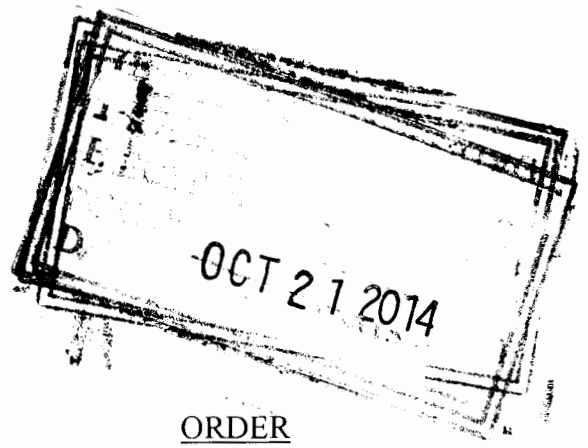
HUDSON RIVER CAFÉ, CORP., 12TH AVENUE :
RESTAURANT GROUP, INC., and HAMLET :
PERALTA,
:

Defendants.
:

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GEORGE B. DANIELS, United States District Judge:

Plaintiffs commenced this action by filing a Summons and Complaint on January 19, 2012. (*See* ECF No. 1.) Plaintiffs served Defendants Hudson River Café, Corp. (“Hudson River”), 12th Avenue Restaurant Group, Inc. (“12th Avenue”), and Hamlet Peralta (“Peralta”) with a Summons and Complaint on January 24, 2012, with proof of such service filed on March 8, 2013. (*See* ECF Nos. 16-18.) On April 5, 2012, Defendants answered the Complaint, but have not otherwise moved with respect to the Summons and Complaint or defended this action since their counsel withdrew on September 17, 2012. (*See* ECF Nos. 9, 14.) On December 18, 2012, this Court ordered Defendant Peralta (who was identified in the Complaint as the president, co-principal, and majority shareholder, if not the sole shareholder, of the two corporate Defendants) to show cause by January 18, 2013 as to why a default judgment should not be entered against all Defendants. (*See* ECF Nos. 1, 15.) Defendant Peralta failed to respond. On May 8, 2013, Plaintiffs obtained a Certificate of Default against Hudson River, 12th Avenue, and



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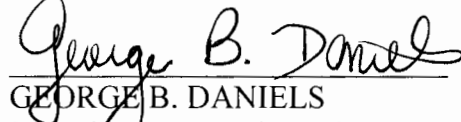
Peralta, and subsequently moved for a default judgment against these Defendants on October 15, 2014. (*See* ECF Nos. 23, 28.)

It is therefore ORDERED, ADJUDGED AND DECREED that Plaintiffs have judgment against Defendants Hudson River, 12th Avenue, and Peralta; and it is further

ORDERED, ADJUDGED AND DECREED that this matter be and is hereby referred to Magistrate Judge Maas for an inquest on damages, interest, attorneys' fees, costs and disbursements.

Dated: New York, New York
October 21, 2014

SO ORDERED:



GEORGE B. DANIELS
United States District Judge